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Bar #: 185736
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Bar #: 200424

10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**

12 **ROBERT MCCARTHY, An Individual,**

13 Plaintiff,

14 V.

15 **RAF, INC., d.b.a. DOWNTOWN AUTO**
16 **CENTER a.k.a. DOWNTOWN TOYOTA**
17 **SUBARU SAAB; RALPH A. FATTORE**
18 **d.b.a. DOWNTOWN AUTO CENTER a.k.a.**
19 **DOWNTOWN TOYOTA SUBARU SAAB;**
20 **RAF, INC.; RALPH A. FATTORE;**
21 **PATTERSON RANCH, INC.; And DOES 1**
22 **THROUGH 10, Inclusive**
23 **Defendants.**

24 Case No.: C06-1265 MJJ

25 **NOTICE OF VOLUNTARY DISMISSAL**
26 **WITHOUT PREJUDICE OF ALL**
27 **DEFENDANTS AND PLAINTIFFS'**
28 **COMPLAINT IN ITS ENTIRETY AND**
/// **ORDER THEREON**

/// **GRANTED**

/// **[Fed.R.Civ.P. Rule 41(a)(1)]**

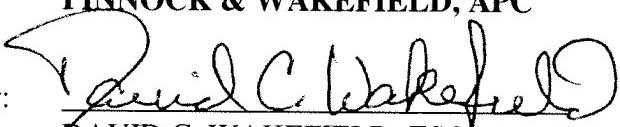
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2 **IT IS HEREBY REQUESTED** by ROBERT MCCARTHY, Plaintiff, via his
3 attorneys of record that, pursuant to Federal Rules of Civil Procedure, Rule 41 (a)(1), this Court
4 enter a dismissal without prejudice of all Defendants from Plaintiff's Complaint, Case No C06-
5 1265 MJJ. Additionally, Plaintiff' requests that the complaint be dismissed without prejudice in
6 its entirety.

7 **IT IS SO REQUESTED.**

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9
10 Dated: 12/27/06

11 By:

12 PINNOCK & WAKEFIELD, APC

13 
14 DAVID C. WAKEFIELD, ESQ.

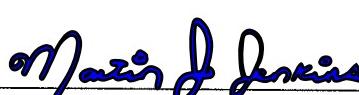
15 Attorneys for PLAINTIFF

16
17 **ORDER ON NOTICE OF DISMISSAL WITHOUT PREJUDICE OF ALL**
18 **DEFENDANTS**

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20 **PURSUANT TO THE ABOVE REQUEST, IT IS HEREBY ORDERED** that all
21 Defendants are dismissed without prejudice from Plaintiffs' Complaint, Case No C06-1265 MJJ.
22 Additionally, Plaintiff's complaint is dismissed with prejudice in its entirety.

23
24 **IT IS SO ORDERED.**

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26 Dated: 10/31/2006

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HONORABLE MARTIN J. JENKINS
U.S. DISTRICT COURT JUDGE